

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Andrew Beckett, Arizona Doe, California Doe, S.A., Colorado Doe, Connecticut Doe, DC Doe, Florida Doe, Georgia Doe, Illinois Doe, Indiana Doe, Kansas Doe, Maine Doe, Maryland Doe, Minnesota Doe, Mississippi Doe, Missouri Doe, Nevada Doe, NewHampshire Doe, NewJersey Doe, NewMexico Doe, NewYork Doe1, NewYork Doe2, NewYork Doe3, NewYork Doe4, NorthCarolina Doe, Ohio Doe, Oklahoma Doe, SouthCarolina Doe, Tennessee Doe, Texas Doe, Virginia Doe, Washington Doe, John Doe, Jane Doe2, John Doe1, and John Doe2, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

Aetna, Inc., Aetna Life Insurance Company,
and Aetna Specialty Pharmacy, LLC,

Defendants.

Case No. 2:17-CV-3864-JS

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Plaintiffs, through their undersigned counsel, respectfully file this Motion for Preliminary Approval of Class Action Settlement, and move the Court for an order:

1. Finding the terms of the Parties' proposed Settlement Agreement fair, reasonable and adequate, and granting preliminary approval to the proposed Settlement so that notice of the Settlement can be provided to the Settlement Class;

2. Preliminarily certifying the following Settlement Class pursuant to Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure for purposes of administering the proposed Settlement:

all persons whose Protected Health Information and/or Confidential HIV-related information was allegedly disclosed improperly by Aetna and/or Aetna-related or affiliated entities, or on their behalf, to third parties, including Gibson, Dunn & Crutcher, LLP (“GDC”) and Kurtzman Carson Consultants LLC (“KCC”), and/or to whom any written notice was mailed as required by the settlement of *Doe v. Aetna, Inc.*, No. 14-cv-2986 (S.D. Cal.) and *Doe v. Coventry Health Care, Inc.*, No. 15-cv-62685 (S.D. Fla.).

3. Preliminarily appointing Plaintiffs Andrew Beckett, Arizona Doe, California Doe, S.A., Colorado Doe, Connecticut Doe, DC Doe, Florida Doe, Georgia Doe, Illinois Doe, Indiana Doe, Kansas Doe, Maine Doe, Maryland Doe, Minnesota Doe, Mississippi Doe, Missouri Doe, Nevada Doe, NewHampshire Doe, NewJersey Doe, NewMexico Doe, NewYork Doe, NewYork Doe1, NewYork Doe2, NewYork Doe3, NorthCarolina Doe, Ohio Doe, Oklahoma Doe, SouthCarolina Doe, Tennessee Doe, Texas Doe, Virginia Doe, Washington Doe, John Doe, Jane Doe2, John Doe1, and John Doe2 as Class Representatives;

4. Preliminarily appointing Shanon J. Carson, E. Michelle Drake, and Sarah R. Schalman-Bergen of Berger & Montague, P.C.; Ronda Goldfein of the AIDS Law Project of Pennsylvania; and Sally Friedman of the Legal Action Center as Co-Lead Class Counsel;

5. Appointing Angeion Group, LLC as the Settlement Administrator to provide notice to the Settlement Class and administer the Settlement;

6. Approving as to form and content the proposed Claim Form attached as Exhibit A to the Settlement Agreement, and the proposed Notice of Class Action Settlement attached as Exhibit C to the Settlement Agreement; and directing that notice of the proposed Settlement be provided to the Settlement Class in accordance with the terms and provisions of the Settlement Agreement; and

7. Scheduling a Final Approval Hearing to consider whether to grant final approval of the proposed Settlement Agreement.

This Motion is based on the accompanying Memorandum of Law; the proposed Settlement Agreement, which is attached as Exhibit 1; the Declarations of Shanon J. Carson, Ronda B. Goldfein, Sally Friedman, and Charles E. Ferrara of Angeion Group, LLC, in support of this Motion, and all other records, pleadings and papers on file in this action. Pursuant to the terms of the Settlement Agreement, Defendants do not oppose this Motion. Defendants reserve their right to state their position and to be heard in this or any other litigation with regard to any facts or issues raised by this Motion and/or any responses thereto.

A proposed Order is submitted for the Court's consideration.

Dated: January 16, 2018

Respectfully submitted,

/s/Shanon J. Carson
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Counsel for Plaintiff John Doe2

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon all counsel of record through the Court's ECF system this 16th day of January, 2018.

s/ Shanon J. Carson

Shanon J. Carson